

House Bill 978 (AS PASSED HOUSE AND SENATE)

By: Representatives Mills of the 25th and Forster of the 3rd

A BILL TO BE ENTITLED
AN ACT

To amend Article 12 of Chapter 6 of Title 40 of the Official Code of Georgia Annotated, relating to the uniform rules of the road for motor vehicles, so as to provide that any motor vehicle that is being operated by a person without a license shall be subject to removal; to provide for exceptions; to provide for return of the vehicle; to provide for fines; to amend Code Section 15-21-179 of the Official Code of Georgia Annotated, relating to additional penalties for violation of traffic laws or ordinances, so as to extend the collection of certain additional penalties for traffic violations; to provide for related matters; to provide for an effective date and applicability; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

Article 12 of Chapter 6 of Title 40 of the Official Code of Georgia Annotated, relating to the uniform rules of the road for motor vehicles, is amended by adding a new Code section to read as follows:

"40-6-279.

(a) Where a person is operating a motor vehicle without a license in violation of subsection (a) of Code Section 40-5-20, the arresting law enforcement officer shall, except in an emergency, cause the vehicle being operated by such person to be removed and impounded pursuant to the provisions of Chapter 11 of this title. All provisions of Chapter 11 of this title applicable to vehicles removed by law enforcement officers including lien procedures shall apply to the release or disposal of such vehicle; provided, however, that the vehicle shall be released to the owner, or the owner's spouse, child, or parent upon proof of relationship to the owner, such person displaying an unexpired driver's license, and such person's compliance with the other applicable provisions of Chapter 11 of this title.

(b) This Code section shall not apply to:

(1) A person driving with an expired license;

- 1 (2) A first offense committed by an unlicensed driver who is 16 years of age or younger;
2 or
3 (3) A person exempted under Code Section 40-5-21.”

4 **SECTION 1A.**

5 Code Section 15-21-179 of the Official Code of Georgia Annotated, relating to additional
6 penalties for violation of traffic laws or ordinances, is amended by revising subsection (c)
7 as follows:

8 “(c) This Code section shall be repealed in its entirety on June 30, ~~2008~~ 2013, unless
9 extended by an Act of the General Assembly.”

10 **SECTION 2.**

11 This Act shall become effective on July 1, 2008, and shall be applied to violations occurring
12 on or after that date.

13 **SECTION 3.**

14 All laws and parts of laws in conflict with this Act are repealed.